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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/549,304	09/16/2006	Tateo Toyama	278542009300	5968
25225	7590	12/13/2010		
MORRISON & FOERSTER LLP			EXAMINER	
12531 HIGH BLUFF DRIVE			HWANG, STAMFORD	
SUITE 100				
SAN DIEGO, CA 92130-2040			ART UNIT	PAPER NUMBER
			2617	
		NOTIFICATION DATE		DELIVERY MODE
		12/13/2010		ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

EOfficeSD@mofo.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/549,304	<b>Applicant(s)</b> TOYAMA ET AL.
	<b>Examiner</b> STAMFORD HWANG	<b>Art Unit</b> 2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

1) Responsive to communication(s) filed on 15 November 2010.

2a) This action is FINAL.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

4) Claim(s) 1-8 is/are pending in the application.

4a) Of the above claim(s) 5 and 8 is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-4, 6 and 7 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 16 September 2005 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO/SB/06)  
 Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date: \_\_\_\_\_

5) Notice of Informal Patent Application

6) Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Arguments*

Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 4, 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Suzuki et al. (J.P. 2002-101059 A) and Ando et al. (J.P. 2002-271860 A).

With respect to Claim 1, Suzuki et al. teaches a portable telephone comprising a portable telephone main body (**Drawing 1, Cellular Phone B**) and a broadcast receiver unit removably attached to the portable telephone main body (**Drawing 1, Data-broadcasting Receiving Unit A**), the portable telephone main body comprising:

- a speaker (**Drawing 1, Cellular Phone B**);
- a display (**Drawing 3, 28**);
- an audio signal processing unit for applying a signal processing to the audio signal received by the receiving unit for output to the speaker (**Drawing 1 and Paragraph [0013] - [0015]**);

- a video signal processing unit for applying a signal processing to the visible information signal received by the receiving unit for output to the display (**Drawing 1 and Paragraph [0013] - [0015]**); and
- a first interface unit connected to the audio signal processing unit and the video signal processing unit for connecting to the broadcast receiver unit (**Drawing 2; Cellular Phone B has to have an interface means to receive broadcast data from the Data-broadcasting Receiving Unit A.**),
- the broadcast receiving unit comprising:
  - a second interface unit connected to the first interface unit of the portable telephone main body (**Drawing 2, External Connection Terminal 20**); and
  - a signal feeding unit for feeding an audio signal and a video signal included in a received television broadcast signal to the second interface unit, wherein (**Drawing 2, CPU 1 and Paragraph [0015]**)
  - the audio signal processing unit of the portable telephone main body applies signal processing to the audio signal fed thereto from the broadcast receiver unit via the first interface unit for output to the speaker (**Drawing 1 and Paragraph [0013] - [0015]**), while the video signal processing unit applies signal processing to the video signal fed thereto from the broadcast receiver unit via the first interface unit fro output to the display with the broadcast receiver

unit attached to the portable telephone main body (**Drawing 1** and **Paragraph [0013] - [0015]**).

Suzuki et al. does not explicitly teach:

- a receiving unit for receiving an audio signal and/or a visible information signal from a telephone network;
  - a signal feeding unit for feeding an audio signal and a video signal included in a received television broadcast signal to the second interface unit, wherein

Ando et al. teaches

- a receiving unit for receiving an audio signal and/or a visible information signal from a telephone network (**Drawing 1; A wireless section 11**);
  - a signal feeding unit for feeding an audio signal and a video signal included in a received television broadcast signal to the second interface unit (**Drawing 1; TV connection connector 30**), wherein

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the apparatus in Suzuki et al. to include a TV connector, as taught by Ando et al., to allow receiving of TV signals.

With respect to Claim 2, Suzuki et al. teaches wherein the portable telephone main body comprises a power source unit for serving as a power source of the speaker, the display, the audio signal processing means and the video signal processing unit (**Paragraph [0019]**), while the broadcast receiver unit comprises a power source unit for

serving as a power source of the signal feeding unit (**Drawing 2, Power Supply for Drive 12**).

With respect to Claim 4, Suzuki et al. teaches wherein the portable telephone main body has a telephone communication function, and is capable of demonstrating the telephone communication function both with the broadcast receiver unit attached thereto and with the broadcast receiver unit removed therefrom (**Drawing 1 and Paragraph [0013]**).

With respect to Claim 6, Suzuki et al. teaches wherein the receiving unit of the portable telephone main body is used also as a receiving unit for a television broadcast signal with the broadcast receiver unit attached to the portable telephone main body (**Drawing 3 and Paragraphs [0016] - [0019]**).

With respect to Claim 7, Suzuki et al. teaches wherein the broadcast receiver unit comprises a receiving unit for receiving a television broadcast signal, and the receiving unit is used also as a receiving unit for receiving an audio signal and/or a visible information signal from a telephone network with the broadcast receiver unit attached to the portable telephone main body (**Drawing 1 and Paragraph [0013] - [0015]**).

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Suzuki et al. (J.P. 2002-101059 A) and Ando et al. (J.P. 2002-271860 A) as applied to Claim 1 above, and further in view of Kawata et al. (U.S. 2003/0181226 A1).

With respect to Claim 3, the combination of Suzuki et al. and Ando et al. teaches all of the limitations in Claim 1 as discussed above. Suzuki et al. further teaches a broadcast receiver unit (**Drawing 1, Data-broadcasting Receiving Unit A**) and "while the pair of input terminals of the apparatus main body and the pair of output terminals of the broadcast receiver unit contact with each other with the containing portion containing the broadcast receiver unit" (**Drawing 3 and Paragraphs [0016] - [0019]**).

Suzuki et al. does not teach wherein the broadcast receiver unit comprises:

- a power source unit for serving as a power source of the signal feeding unit, and the speaker, the display, the audio signal processing unit and the video signal processing unit of the portable telephone main body; and
- a pair of output terminals for outputting power obtained from the power source unit, while the portable telephone main body comprises a casing incorporating therein the speaker, the display, the audio signal processing unit and the video signal processing unit, the casing comprising a pair of input terminals for inputting power and having recessed therein a containing portion capable of interchangeably containing a battery pack for serving as a power source of the speaker, the display, the audio signal processing unit and the video signal processing unit, and the broadcast receiver unit, wherein the pair of input terminals of the portable telephone

main body and a pair of output terminals of the battery pack contact with each other with the containing portion containing the battery pack.,

Kawata et al. teaches:

- a power source unit for serving as a power source of the signal feeding unit, and the speaker, the display, the audio signal processing unit and the video signal processing unit of the portable telephone main body (**Fig. 3, Battery Pack 1; Battery pack 1 can connect to the mobile telephone to provide power to the mobile telephone.**); and
- a pair of output terminals for outputting power obtained from the power source unit, while the portable telephone main body comprises a casing incorporating therein the speaker, the display, the audio signal processing unit and the video signal processing unit, the casing comprising a pair of input terminals for inputting power and having recessed therein a containing portion capable of interchangeably containing a battery pack for serving as a power source of the speaker, the display, the audio signal processing unit and the video signal processing unit, and the broadcast receiver unit, wherein the pair of input terminals of the portable telephone main body and a pair of output terminals of the battery pack contact with each other with the containing portion containing the battery pack (**Fig. 3, Connector 6; Fig. 3 (a) shows clearly that a recessed area, which has a connector 6, is to connect battery pack 1 to the mobile telephone body 2. The mobile telephone body 2 is inherent to enclose the**

**claimed elements as the elements are essential to a mobile telephone. ).**

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the apparatus in Suzuki et al. and Ando et al. to include a removable battery pack, as taught by Kawata et al., to allow switching batteries when one of multiple batteries is depleted.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to STAMFORD HWANG whose telephone number is

(571)270-5578. The examiner can normally be reached on Monday ~ Friday 9:00AM ET~ 6:00PM ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on (571)272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S.H./

/HUY PHAN/  
Primary Examiner, Art Unit 2617